

1 behalf of Ms. Fetterly, and I represent Jim Peters.

2 My first question relates to the gentleman by
3 the name of Jim Rulli.

4 Do you know who is?

5 A No.

6 Q Do you ever recall meeting him?

7 A No.

8 Q Okay. Do you know Jim Peters?

9 A No.

10 Q Do you ever recall meeting him?

11 A No.

12 Q Okay. Do you ever recall talking to Mr. Rulli
13 either in person or over the telephone?

14 A No.

15 Q Okay. Do you ever recall speaking to
16 Mr. Peters either in person or over the telephone?

17 A No. I don't recall that.

18 Q Okay. Do you recall having any meeting in
19 which Mr. Peters and Mr. Rulli were together speaking
20 with you?

21 A No. I don't recall that.

22 Q Okay. So is it fair to say -- well, I'll just
23 ask it. Do you recall telling anybody by the name of
24 Jim Peters anything in a conversation either in person or
25 over the phone?

1 A No.

2 Q Okay. So is it fair to say you don't recall
3 the content of anything you told Mr. Peters either in
4 person or over the phone?

5 A Yes.

6 Q Okay. With respect to Mr. Rulli, I would ask
7 the same question.

8 Do you recall ever speaking with him in person
9 or over the phone?

10 A No.

11 Q Okay. Do you recall the content of anything
12 you told Mr. Rulli either in person or over the phone?

13 A No. I don't have a recollection of that.

14 MR. JUDGE: Thank you. I don't have any
15 further questions.

16 EXAMINATION

17 BY MR. JUSTICE:

18 Q Ms. Link, my name is John Justice. I'm an
19 attorney representing Sharon Krause. I have a couple
20 questions for you.

21 You mentioned that you did recall speaking with
22 Sharon Krause at some point in time; is that correct?

23 A Yes.

24 Q Do you remember when those conversations took
25 place?

Objection
based on
motion in
limine 13,
dkt. 202
at 15;
Plaintiff
reserves
right to
supplement
highlighti
ng if
motion is
denied.

1 A No, I don't.

2 Q Do you remember if there was more than one
3 conversation?

4 A No.

5 Q Do you remember meeting -- whether or not you
6 met with her in person?

7 A No. I don't recall that.

8 Q Is it possible that you did and just don't
9 recall?

10 A It's possible.

11 Q And do you recall the contents of any of the
12 conversations that you had with Sharon Krause?

13 A I remember finding out that she had met with
14 Katie Spencer and that she had said Katie revealed
15 details of sexual abuse to her and that she'd spent
16 some -- a fair amount of time with her.

17 Q Do you remember if that information was relayed
18 to you while you were in the middle of counseling
19 Katie Spencer or at some point other than that? I mean
20 can you pinpoint where in your relationship with
21 Katie Spencer that information came to you?

22 A I think it was while I was still doing therapy
23 with Katie Spencer.

24 Q Did you --

25 A It was around that -- it was --

1 Q Did you attempt to confirm or dispel that
2 information that you had received from Sharon Krause in
3 your sessions with Katie Spencer?

4 A Not that I recall. No.

5 Q If you received information from someone other
6 than your patient that they have possibly -- that your
7 patient has been possibly the victim of sexual abuse,
8 does that fall within your mandatory reporting
9 requirements under the California law?

10 A Yes.

11 Q And yet you do not recall whether or not after
12 receiving that information from Sharon Krause that you
13 reported that information to the authorities?

14 A That's correct.

15 Q But you are saying that you would normally do
16 that if you had received information from a third party
17 not necessarily limited to your patient; is that
18 correct?

19 A Correct.

20 Q Any other details or information that you
21 recall in your communications with Sharon Krause, either
22 receiving from her or communicating to her, that you
23 haven't disclosed in this deposition?

24 A No. I have no other recollections of talking
25 to Sharon Krause.

1 Q I'm curious about the development of the
2 declaration that we have received from you.

3 Did you at any point in time in your recent
4 communications with plaintiffs' counsel write down your
5 recollection of your therapy with Katie Spencer and share
6 that with plaintiffs' counsel?

7 A Write it down? No.

8 Q Did you type it out? Is there any other
9 written document that you have created that was provided
10 to plaintiffs' counsel prior to the declaration being
11 created?

12 A No.

13 Q So the first written document that attempted to
14 formulate your testimony in this declaration came from
15 the plaintiffs' counsel?

16 A I'm sorry. What was the question?

17 Q The question was is it true to say that the
18 first written document that was characterized as your
19 testimony in this case came from the plaintiffs' counsel.

20 A You mean the affidavit that we developed?

21 Q Yes.

22 A Yes.

23 Q I want to apologize for jumping around a little
24 bit. That kind of comes from going last.

25 But you mentioned that you received your Ph.D.

1 from an institution, and I didn't catch the name of that
2 institution.

3 A Professional School of Psychology.

4 Q Where's that located at?

5 A San Francisco.

6 Q Was that -- were you in person there or is that
7 a distance learning facility?

8 A Some of the classes were in Sacramento. Some
9 of them were in San Francisco.

10 Q So it's an actual brick and mortar
11 institution?

12 A Yeah. We attended classes in San Francisco.

13 Q And is that at a place called the
14 Professional School of Psychology or is it -- do they
15 have two different branches? I'm not understanding that.

16 A Well, I just recall we went to classes at the
17 Professional School of Psychology in San Francisco. I
18 don't remember exactly the address or buildings.

19 Q And you said something about Sacramento as
20 well.

21 Did they have a branch in Sacramento?

22 A I believe so.

23 Q What was your dissertation in?

24 A It was about altruistic behavior in
25 schizophrenics.

1 Q Is that published? Is it available online?

2 A I don't believe it's online. No. It wasn't
3 published.

4 MR. JUSTICE: That's all the questions I have.

5 MS. ZELLNER: I've got a few questions. This
6 is Kathleen Zellner again just for clarification.

7 FURTHER EXAMINATION

8 BY MS. ZELLNER:

Response 9 Q Dr. Link, could you look back at Exhibit 1,
the 10 your affidavit.

is a properly 11 A Yes.
authenticated
exhibit to this 12 Q Okay. If you look at paragraph 7, could you
deposition;
Dr. Link's 13 read that into the record, please.

testimony 14 that A "I specifically recall that at no point during
certain 15 my sessions with Kathryn did she describe being molested
statements 16 by anyone."
are true 17 Q Is it a correct statement that you have an
is the 18 independent recollection that Kathryn Spencer did not
evidence; 19 describe being sexually abused to you?

Plaintiff 20 A Yes.
is not seek-
ing to 21 Q Then if we look at paragraph 10, could you read
substitute the 22 that into the record.

affidavit for her 23 A "I never would have told any person, including
testimony; 24 law enforcement, that Kathryn had described any abuse to
also, lines 25 me because she had not done so."
17-20 22
not subject
to objection
to exhibit

objection is heard and cumulative

1 Q Okay. Is that a true statement?

2 A Yes.

3 Q When counsel -- if Kathryn Spencer did not
4 report sexual abuse to you, would you have reported to
5 Prosecutor Peters that Kathryn Spencer had been sexually
6 abused?

7 MR. JUDGE: Objection to the form of the
8 question.

9 THE COURT REPORTER: I'm sorry. Who was that?

10 MR. JUDGE: I'm sorry. Dan Judge.

11 BY MS. ZELLNER:

12 Q If Kathryn Spencer did not report sexual abuse
13 to you, would you have reported that she had been
14 sexually abused to Prosecutor Peters?

15 MR. JUDGE: Objection to the form.

16 Go ahead.

17 THE WITNESS: If she had not reported to me
18 that she was sexually abused, would I have reported it to
19 Peters? Is that what you're asking?

20 BY MS. ZELLNER:

21 Q Right.

22 A I'm sorry.

23 Q Right. Would you have reported it to
24 Prosecutor Peters if she had not told you that she had
25 been sexual abused?

1 A No, I would not have.

2 Q Would you have reported to
3 Defense Attorney Rulli if she had not been sexually
4 abused?

5 A No.

6 Q And would you have reported to Sharon Krause if
7 she had not been sexually abused?

8 A No.

9 Q Now, you had stated previously that you don't
10 recall using anatomical dolls with Kathryn Spencer.

11 Kathryn Spencer you say -- you remember did not
12 describe being molested by anyone. Correct?

13 A Correct.

14 Q So would there be any reason for you to use
15 anatomical dolls with Kathryn Spencer if she made no
16 report of abuse to you?

17 A No.

18 Q Would that be considered proper? Would that
19 conform with the standard of care for a psychologist, do
20 you believe, to not show the dolls -- anatomical dolls if
21 someone had not been abused?

22 A Yes.

23 MS. ZELLNER: Okay. All right. I don't have
24 any further questions.

25 ///

Response
-What she
understood
as proper;
relevant to
what
she would
have
done
during
therapy
with
Katie,
i.e., not use anatomic
dolls.

Question of opinion, not fact

1 FURTHER EXAMINATION

2 BY MR. FREIMUND:

3 Q I just have one follow-up question -- this is
4 Jeff Freimund -- in regards to your training, Ms. Link.

Response:

5 Relevant to show

what

6 techniques

Dr. Link

7 utilized

8 during

Katie's therapy,

which resulted in

10 no disclosures.

Back in 1984 and 1985 when you were a

psychology intern and Ph.D. candidate, do you recall

receiving any training whatsoever on interview techniques

that should be used with child victims of sexual abuse?

A Yes.

Q What do you recall receiving training from?

11 I'm sorry. Who do you recall receiving such training

12 from?

13 A What was your -- what was your statement
14 preceding that question?15 Q You mean what kind of training am I talking
16 about?

17 A No. No. What did you say before?

18 Can you just read the last couple of questions
19 there?20 Q I'm just asking -- you said that you recall
21 receiving training back in 1984 and 1985 when you were a
22 psychology intern and Ph.D. candidate regarding the
23 interview techniques that are used for child sexual abuse
24 victims and I'm asking who you received that training
25 from.

obj. from 1984-1985
in the context of
Katie's therapy

1 context regarding sexual abuse allegations?

2 A That if the child disclosed sexual abuse to
3 you, then you might clarify what they have said by using
4 anatomically correct dolls to help them communicate what
5 had happened to them.

6 Q All right. Anything else?

7 A That there was -- it was very important not to
8 make any kind of leading statements or questions to
9 children, particularly if they had not testified or given
10 statements. It was very important not to contaminate
11 evidence they might give.

12 Q Okay. Anything else?

13 A Well, it was important to reassure them and
14 help them to feel safe and to feel like they hadn't done
15 anything wrong. That, you know, it was okay to talk
16 about their feelings and things like that.

17 Q Okay. Anything else that you can remember that
18 you received training on in this regard?

19 A That you shouldn't in any way say anything, you
20 know, or imply anything that they should say in a court
21 or any kind of legal proceeding that might sway their
22 impressions of what had happened to them.

23 Q Okay. Anything else that you remember
24 receiving training about in regard to interviewing
25 techniques in the therapeutic context to child sexual

Same
response
as
p. 87

Same
obj. 9/5/13
p. 87